

I THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No.: 8358

Appl. No.

10/759,768

Applicant

Herdin et al.

Filed

01/16/2004

TC/A.U.

3747

Examiner

Hoang, Johnny H.

Docket No.

TRG-322

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO REQUIREMENT FOR AN ELECTION OF SPECIES AND PROVISIONAL ELECTION

Sir:

In the Office Action dated August 10, 2005, the claims in the application were subject to a requirement for an election of species. According to the Examiner, the claims of the application are directed to three patentably distinct species of invention identified in the office action as Species I (Figs. 1, 2, 4a, 4b and 6), II (Fig. 3) and III (Fig. 5).

In response thereto, Applicants provisionally elect to prosecute the invention of Species I (Figures 1, 2, 4a, 4b and 6). Claims 1-27 and 29-45 read on the elected invention.

The commissioner is hereby authorized to charge any additional fees which may be required for this response, or credit any overpayment, to Deposit Account No. 12-2147. In the event that an extension of time is required, Applicants respectfully request that this document be treated as a conditional request for an extension of time to file this

response, and hereby authorize the Commissioner to charge any fee for such an extension of time, or credit any overpayment, to Deposit Account No. 12-2147.

Respectfully submitted,

Mark D. Lorusso

Reg. No. 41,955 Dated: October 10, 2005

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

I hereby certify that this paper and any paper or document referred to therein as being attached or enclosed is being deposited on October 10, 2005 with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Mark D. Lorusso